

## **REMARKS**

Claims 13-25, 27, 29, 32 and 35 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Independent claims 13, 27, 29, 32 and 35 have been amended to overcome this rejection. Withdrawal of the rejection is respectfully requested.

Claims 13-23, 26-30, 32-33 and 35-36 stand rejected under § 102 on the basis of Bouvier et al. Applicants respectfully traverse this rejection because the cited reference does not disclose or suggest features for notifying the device control unit of a failure in a device by enabling the device control to attempt to access the failed device, as in the present invention.

Independent claims 13, 27, 29, 32 and 35 have been amended to describe the features for determining that a failure has occurred in a device and that the use of the failed device is prohibited. In response to this determination of a failure, the notification device notifies a device control unit that performs control over the failed device of the failure by enabling the device control to attempt to access the failed device. The device control recognizes the failure if it is unable to access the failed device.

A device control unit in a system is not necessarily aware of a failure in a device that it controls even though it may be known by other components in the system. As such, the device control unit may not become aware of the failure for some time until it is required to access that device during the normal course of operation. Not knowing that a device has suffered a failure for a prolonged period of time may cause further problems in the system. In the present invention, the device control unit is notified of the failure by enabling

the device control unit to attempt to access the failed device (even though the device control unit may not need to in the normal course of operation). The device control unit recognizes the failure when it is unable to access the failed device.

Applicants respectfully request that the Examiner reconsider the arguments presented in the Amendment filed on October 28, 2004 in view of the amendments to the claims and the explanation given above. Moreover, in response to Applicant's previously filed Amendment, the Examiner asserts that resetting pulses to the processing unit as described in column 6, lines 1-8 of the Bouvier reference indicates the claimed attempt to access the failed device. When read in context, the asserting of reset pulses at lines 264 and 266 by control unit 250 is performed "[w]hen computer system 200 is initially powered on or is reset via a system reset signal at line 264" (see col. 5, line 66-col. 6, line 8). In contrast, the device control unit in the present invention attempts to access the failed device upon being notified by the notifying device that the failure has already occurred to the device. for this reason, in addition to the reasons provided in the Amendment filed on October 28, 2004, claims 13 (and its dependent claims 14-25), 27, 29, 32 and 35 are believed to be allowable over Bouvier et al.

Claims 26, 28, 30, 33 and 36 stand rejected under § 102 on the basis of Carlson et al. Applicants respectfully traverse this rejection because the cited reference does not disclose or suggest determining, when a failure occurs in a device in one system and use of the failed device is prohibited, whether the use of any other devices in the same system should be prohibited as a result of the failed device.

The Carlson et al. reference discloses at least two computer systems, each including an IOP manager. One of the IOP managers is designated to be the primary and the IOP manager in the other system the secondary IOP manager. The two computers systems share common IOPs. When a problem is detected in one of the shared devices, the primary IOP manager “sends the status information to the secondary IOP manger” in the other computer system (see col. 3, lines 20-37, and col. 9, lines 39-41).

The Carlson et al. reference, however, does not disclose or suggest the feature for determining whether any of the other devices in the system should be prohibited from use as a result of a failed device in the same system, as now described in claims 26, 28, 30, 33 and 36. These claims are allowable for at least this reason.

Claims 24 and 25 stand rejected under §103(a) as being unpatentable over Bouvier in view of Fuss et al. Applicants respectfully traverse this rejection for the reasons given with respect to claim 13, from which these claims depend, and because of the additional features recited in these claims.

For the foregoing reasons, applicants believe that this case is in condition for allowance, which is respectfully requested. The examiner should call applicants' attorney if an interview would expedite prosecution.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By

A handwritten signature in black ink, appearing to read "B. Joe Kim", written over a horizontal line.

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